



United States
Department of
Agriculture

SEP 16 2010

970057

Food and
Nutrition
Service

SUBJECT: SNAP – Texas Request to Waive Able-bodied Adults Without Dependents (ABAWD) – Modification and Extension

3101 Park
Center Drive

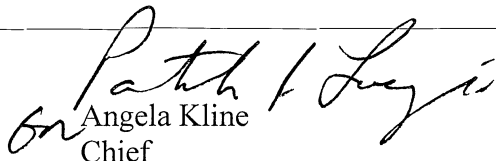
TO: Dwight Crudup
Regional Director
Supplemental Nutrition Assistance Program
Southwest Region

Alexandria, VA
22302-1500

The Food and Nutrition Service (FNS) has reviewed the Texas Health and Human Services Commission's request to extend and modify waiver #970057 to exempt individuals who reside in 22 counties that have unemployment rates in excess of 10 percent. FNS finds that the Texas request is consistent with Department of Labor Bureau of Labor Statistics data and those 22 counties will not be subject to the ABAWD time limit for fiscal year 2011.

The waiver is applicable to the following counties: Cameron, Cass, Dimmit, Duval, Hidalgo, Jasper, Liberty, Marion, Matagorda, Maverick, Milam, Morris, Newton, Orange, Presidio, Reeves, Sabine, San Augustine, Starr, Willacy, Zapata, and Zavala.

FNS is approving the waiver request for 1 year, from October 1, 2010 through September 30, 2011, as described in the attachment. If you have any questions, please contact Elizabeth Weber of my staff at (703) 305-2407.


Angela Kline
Chief

Certification Policy Branch
Program Development Division

Attachment

WAIVER RESPONSE

1. **Waiver Serial Number:** 970057
2. **Type of Request:** Extension and Modification
3. **Primary regulation citation:** 7 CFR 273.24
4. **Secondary regulation citation:** N/A
5. **State:** Texas
6. **Region:** Southwest
7. **Regulatory Requirement:** Federal regulations at 7 CFR 273.24 provides that no individual shall be eligible to participate in the Food Stamp Program as a member of any household if, during the preceding 36-month period, the individual received food stamp benefits for not less than 3 months (consecutive or otherwise), during which the individual did not work 20 hours or more per week, averaged monthly; did not participate in and comply with the requirements of a work program for 20 hours or more per week; did not participate in and comply with requirements of a program under Section 20 of the Food and Nutrition Act or a comparable program established by the State; or received benefits because they were exempt from these requirements.

Federal regulations at 7 CFR 273.24(f) also provides that, upon the request of a State Agency, the Secretary may waive the applicability of the above provision for any group of individuals in the State if the Secretary makes a determination that the area in which the individuals reside has an unemployment rate of over 10 percent, or does not have a sufficient number of jobs to provide employment for the individuals.

8. **Description of proposed alternative procedures:**

The Texas State Agency proposes to extend and modify this waiver to exempt from this requirement individuals who reside in 4 counties listed in the table below, based upon an unemployment rate exceeding 10 percent.

County	Average Unemployment Rate February 2009 – January 2010
Cameron	10.1%
Cass	11.7%
Dimmit	10.3%
Duval	11.5%
Hidalgo	10.8%

Jasper	10.5%
Liberty	10.3%
Marion	10.9%
Matagorda	10.5%
Maverick	14.5%
Milam	11.2%
Morris	15.4%
Newton	11.7%
Orange	10.1%
Presidio	17.0%
Reeves	12.2%
Sabine	15.3%
San Augustine	10.5%
Starr	17.0%
Willacy	12.6%
Zapata	11.2%
Zavala	15.1%

9. **Action and reason for approval or denial:** Due to the unemployment rate exceeding an average of 10 percent from February 2009 through January 2010, The Food and Nutrition Service (FNS) agrees that for the 22 counties requested the State agency may waive the ABAWD time limit. The data submitted by the State agency meets the requirements of approval pursuant to 7 CFR 273.24(f)(3) and relevant FNS guidance.
10. **Regulatory or legislative basis for action:** This waiver is approved pursuant to 7 CFR 273.24(f)(3)(i), (ii), and (iii).
11. **Conditions and reasons:** None.
12. **Information required for extension:** To receive an extension the State agency must provide data or other information as described in 273.24(f)(2) and (f)(3). If Texas wishes to receive an extension based on unemployment rates, they must provide us with all supporting documentation, including spreadsheets in digital form.
13. **Expiration date:** This waiver is effective beginning October 1, 2010 and will expire on September 30, 2011.
14. **Limitation, if any, on regional office approval of like requests:** These waivers are limited to the Texas Health and Human Services Commission.
15. **Quality control procedures:** None.

16. **Date of national office action:** August 27, 2010
17. **Date of State agency's request:** May 18, 2010
18. **Date of regional office transmittal of request:** June 3, 2010
19. **Date of regional office transmittal of response to State agency:**
20. **Actual implementation date:** October 1, 2010